



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Ordinance No. 1699 Entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Title 2 – Administration And Personnel, Chapter 2.04 By Repealing And Reenacting Section 2.04.010 'Regular Meetings – Day And Time,' And Section 2.04.100 'Order Of Business – Assembly Of Officers' To The Lodi Municipal Code Relating To City Council Meetings"

MEETING DATE: February 21, 2001

PREPARED BY: City Clerk


RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1699.

BACKGROUND INFORMATION: Ordinance No. 1699 entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Title 2 – Administration And Personnel, Chapter 2.04 By Repealing And Reenacting Section 2.04.010 'Regular Meetings – Day And Time,' And Section 2.04.100 'Order Of Business – Assembly Of Officers' To The Lodi Municipal Code Relating To City Council Meetings" was introduced at the regular City Council meeting of February 7, 2001.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.


Susan J. Blackston
City Clerk

Attachment

APPROVED: _____
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1699

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING TITLE 2 – ADMINISTRATION AND PERSONNEL,
CHAPTER 2.04 BY REPEALING AND REENACTING SECTION
2.04.010 “REGULAR MEETINGS-DAY AND TIME,” AND SECTION
2.04.100 “ORDER OF BUSINESS-ASSEMBLY OF OFFICERS”
TO THE LODI MUNICIPAL CODE RELATING TO
CITY COUNCIL MEETINGS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Section 2.04.010 “Regular Meetings--Day and Time” of the Lodi Municipal Code is hereby repealed and reenacted to read as follows:

2.04.010 Regular Meetings—Day and Time

Regular meetings of the Council shall be held on the first and third Wednesday of each month at 7:00 p.m.; provided, however, that any such regular meeting at which a closed session is to be held may be commenced, for the holding of such closed session, at such earlier time on the meeting day as may be noticed on the Council's agenda and posted at least seventy-two (72) hours in advance of such earlier commencement time. In the event of any such earlier commencement of a regular meeting for the purpose of holding a closed session, no other items of business on the Council's meeting agenda shall be addressed before 7:00 p.m. In case the regular meeting falls upon a legal holiday, then the regular meeting which otherwise would have occurred on that day shall be held on the first business day thereafter at the hour of 7:00 p.m.

SECTION 2. Section 2.04.100 “Order of Business—Assembly of Officers” of the Lodi Municipal Code is hereby repealed and reenacted to read as follows:

All meetings of the Council shall be open to the public, except for closed sessions as permitted by law. The Council shall provide by Resolution the order of business for regular meetings of the Council, and shall provide therein for public comment as required by law. In attendance shall be the City Manager, the City Clerk, and the City Attorney or their authorized designees.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.


SECTION 4. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid

provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this 21st day of February, 2001



ALAN NAKANISHI
Mayor

Attest:



SUSAN J. BLACKSTON
City Clerk

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State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1699 was introduced at a regular meeting of the City Council of the City of Lodi held February 7, 2001, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held February 21, 2001, by the following vote:

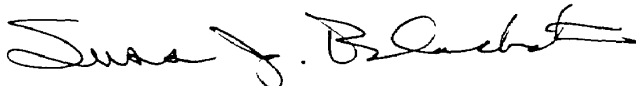
AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Pennino and
Mayor Nakanishi

NOES; COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

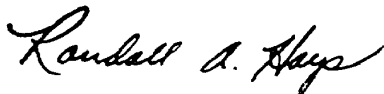
ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1699 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



SUSAN J. BLACKSTON
City Clerk

Approved as to Form:



RANDALL A. HAYS
City Attorney